

Vice Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Landis, Schram and Vap present, and Commissioners Boyle and Johnson excused. Vice Chairman Landis invited the public to address the Commission. Vice Chairman Landis also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published October 16, 2007 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 24, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, October 24, 2007:

911-023.01 Commission Hearing Room, Lincoln.

1:30 In the Matter of Sarpy County, Papillion, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders granting applications AD-414r and AD-415r. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

AD-414r In the Matter of Global Vantage Inc., San Rafael, California, seeking authority to register and connect an automatic dialing-announcing device located in Haryana, India.

AD-415r In the Matter of Global Vantage Inc., San Rafael, California, seeking authority to register and connect an automatic dialing-announcing device located in Gurgaon, India.

C-3856 In the Matter of Onvoy, Inc., Minneapolis, Minnesota, and Zayo Bandwidth, Inc., Louisville, Colorado, seeking a transfer of control: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3861 In the Matter of Pinpoint Communications, Cambridge, seeking withdrawal of their trade name Pinpoint Network Services LLC, Cambridge: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

 Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter orders opening dockets C-3869/PI-131 and C-3870/PI-132. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

C-3869/
PI-131 In the Matter of the Commission, on its own motion, seeking comment on the request by United Way of the Midlands to be assigned the use of "211" in Fillmore County for access to First Call for Help (FCFH), a comprehensive information and referral service.

C-3870/
PI-132 In the Matter of the Commission, on its own motion, seeking comment on the request by United Way of the Midlands to be assigned the use of "211" in Seward County for access to First Call for Help (FCFH), a comprehensive information and referral service.

C-3858 In the Matter of Windstream Nebraska, Inc., Little Rock, Arkansas, seeking approval of an interconnection agreement with Digital ISP Group, Inc., Lincoln: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order approving the application. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

 Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter orders granting applications E-2137 and E-2157. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

E-2137 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Dakota County. Commissioner Johnson presiding as Hearing Officer.

E-2157 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Scotts Bluff County. Commissioner Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported that bound copies of the 2007 Annual Report on Telecommunications are now available.

Gene Hand informed the Commission that Don Gray and he will be making a presentation to the "Ag at The Cross Roads Conference" sponsored by the Nebraska AgRelations Council on Thursday, November 1, 2007, at the University of Nebraska, East Campus Union at 2:25 p.m.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order scheduling a hearing for November 27, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting. Commissioner Vap appointed Hearing Officer.

911-022.05 In the Matter of Sprint PCS, Overland Park, Kansas, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order approving costs. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

911-022.11 In the Matter of U.S. Cellular, Chicago, Illinois, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order approving costs. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

911-023.43 In the Matter of Kimball County, Kimball, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Vap presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's Order entered October 22, 2007, scheduling a video conference on November 6, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln, and Panhandle Research & Extension Center, High Plains Room, 4502 Avenue I, Scotts-bluff.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley discussed the need for an additional meeting of the Enhanced Wireless 911 Advisory Board to be held, in part, to allow the Board to offer recommendations for the enhanced wireless 911 surcharge: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve an additional meeting of the Enhanced Wire-less 911 Advisory Board. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

Jeff Pursley informed the Commission that the next Enhanced Wireless 911 Advisory Board Meeting is scheduled for November 26, 2007 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

NUSF-64 In the Matter of the Commission, on its own motion, seeking to investigate the use of expense caps in the earnings calculation for Nebraska universal service fund support. Commissioner Boyle presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's Order entered October 16, 2007, extending the comment deadlines, and continuing the Pre-Hearing Conference previously scheduled for November 8, 2007 to December 4, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NUSF-1 In the Matter of the Commission, on its own motion, seeking
PO #18 to establish guidelines for administration of the Nebraska Universal Service Fund: Jeff Pursley discussed Packet 8's waiver request. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve Packet 8's waiver request to not remit or collect for services provided between July 1, 2007, to November 1, 2007, and remit but not collect for services provided between November 1, 2007 thru December 31, 2007, due to the need to program their billing system. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

NATURAL GAS DEPARTMENT

NG-0044 In the Matter of Aquila Networks, Kansas City, Missouri; Black Hills Corporation, and Black Hills/Nebraska Gas Utility Company, LLC, both of Rapid City, South Dakota, seeking approval of the proposed transfer of Aquila's Certificate of Convenience and for a Change of Control of Aquila's Nebraska jurisdictional assets. Commissioner Landis presiding as Hearing Officer: Laura Demman informed Commission that the Federal Energy Regulatory Commission approved the Aquila-Black Hills transaction on October 19, 2007.

NATURAL GAS DEPARTMENT (Cont.)

NG-0048 In the Matter of NorthWestern Corporation, d/b/a North-Western Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Commissioner Vap presiding as Hearing Officer: Laura Demman informed the Commission that a Stipulation and Agreement was filed October 16, 2007, extending the time to negotiate an agreed rate change until November 14, 2007.

P-0013.11 In the Matter of Metropolitan Utilities District of Omaha, Omaha, providing notice required by *Neb. Rev. Stat. Section 66-1863*, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order closing the docket. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

FC-1327 In the Matter of the Formal Complaint of the Nebraska Public Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG 0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter Assessment Order HS-002. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter Assessment Orders GDS-007 and HS-0014. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

NG-0044 In the Matter of Aquila Inc., d/b/a Aquila Networks, Kansas City, Missouri; Black Hills Corporation, and Black Hills/Nebraska Gas Utility Company, LLC, both of Rapid City, South Dakota, seeking approval of the proposed transfer of Aquila's Certificate of Convenience and for a Change of Control of Aquila's Nebraska jurisdictional assets. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter Assessment Order HS-008. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT

B-1619 In the Matter of Kincaid Coach Lines, Edwardsville, Kansas, seeking approval to waive the age qualification for driving a motor vehicle: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the waiver. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

B-1701 In the Matter of Larry's Taxi Cab, Lexington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in sedans and/or vans and their baggage between points in Dawson County over irregular routes: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application as amended. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

LR-281 In the Matter of R&F Hobbies, Inc., d/b/a Aquila Limousine Service, Ravenna, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application as modified. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

MR-230 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was retained at 80 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-2927 In the Matter of ABE Fairmont, LLC, Fairmont, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending September 30, 2008: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson present not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for approval of the following Commission invoices. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	630.00
B Hear Inc.		730.67
Beltone		931.40
Grand Island Hearing Aid Center		1,180.00
Hamilton Telecommunications		179.95
Carl A. Johnson Jr.		2,265.20
K-D Communications		3,186.35
League of Human Dignity		294.90
Professional Hearing Services		519.90
Sherard Hearing Center		588.00
Teltex		133.70
Weitbrecht Communications		1,670.95
White's Hearing Aid Specialists		459.85

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to authorize Commissioners to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference to be held in Washington, DC from February 15 through 20, 2008. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for Gene Hand and Jeff Pursley to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference to be held in Washington, DC from February 14 through 20, 2008. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation for Laura Demman to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference to be held in Washington, DC from February 16 through 19, 2008. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for Fred Massing to travel to and conduct a modular housing unit factory inspection at Wardcraft Homes, Inc. in Clay Center, Kansas on October 23, 2007, with all expenses, including time, to be reimbursed by Wardcraft Homes. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

The meeting adjourned at 10:27 a.m. with Commissioners Landis, Schram and Vap present, and Commissioners Boyle and Johnson excused. The next regularly scheduled meeting will be held on October 30, 2007, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on October 29, 2007.

Vice Chairman

Executive Director